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## V. — Notes on the Peace of Philocrates

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I. THE Resolution of the Synod of the Allies, as related to the Motions of Demosthenes, designating Meetings of the Ecclesia for Discussion and Action on the Question of Peace with Philip.

In the speeches of Demosthenes and Aeschines *On the Embassy* and *On the Crown* mention is made of certain decrees of the Athenian senate and people, passed on motion of Demosthenes in the spring of 346 B.C., in order to provide that a time be set apart for the hearing of Philip's ambassadors. It is commonly assumed with Hartel (*Demosthenische Studien*, II, 39) and Schaefer (*Demosthenes und seine Zeit*, II, 210) that the decree referred to in Aes. 2, 53 is the same as that referred to in Aes. 3, 67, and that this decree, fixing the 8th of Elaphebolion as the date for discussion of peace, was followed and superseded by the decree mentioned in Aes. 3, 68, which fixed the 18th and 19th for discussion and action.

Mention is also twice made of action on the same subject by the synod of the Athenian allies. It is commonly assumed with Schaefer (II, 209 ff.) that both references to a resolution of the synod are to one and the same resolution; but Adelbert Höck has presented strong arguments to prove that the reference is to two resolutions of the synod,<sup>1</sup> as Böhnecke had already assumed.<sup>2</sup>

The two references to a resolution of the synod are as follows: In the speech *On the Embassy* Demosthenes, charging Aeschines with inconsistency, says that at the final meeting for action on peace with Philip (the meeting of the 19th of Elaphebolion), Aeschines declared that he should introduce a

<sup>1</sup> "Die athenischen Bundesgenossen und der philokratische Friede," *Hermes*, XIV, 119 ff.

<sup>2</sup> *Forschungen auf dem Gebiete der attischen Redner*, I, 391 f.

law (νόμον θήσειν) forbidding the state to aid any Greek state that had not aided her; Demosthenes says that Aeschines made this statement in the presence and in the hearing of the ambassadors whom the Greek states had sent to Athens, in response to her summons on the initiative of Aeschines himself.<sup>1</sup> Replying to this charge, Aeschines asserts that no ambassadors from the Greek states were present at that meeting, and that the Athenian ambassadors had not themselves at that time returned from their mission to the states (Aes. 2, 57 ff.). As proof of this, he cites a resolution of the confederate synod which implied that the Athenian ambassadors were still absent on their mission; his words are as follows: 'Ανάγνωθι δὴ καὶ τὸ τῶν συμμάχων δόγμα τί λέγει, ἐν ᾧ διαρρήδην γέγραπται, ἐπειδὴ βουλεύεται ὁ δῆμος ὁ Ἀθηναίων ὑπὲρ εἰρήνης πρὸς Φίλιππον, οἱ δὲ πρέσβεις οὕτω πάρεσιν οὓς ἐξέπεμψεν ὁ δῆμος εἰς τὴν Ἑλλάδα παρακαλῶν τὰς πόλεις ὑπὲρ τῆς ἐλευθερίας τῶν Ἑλλήνων, δεδόχθαι τοῖς συμμάχοις, ἐπειδὴν ἐπιδημήσωσιν οἱ πρέσβεις καὶ τὰς πρεσβείας ἀπαγγεῖλωσιν Ἀθηναίοις καὶ τοῖς συμμάχοις, προγράψαι τοὺς πρυτάνεις ἐκκλησίας δύο κατὰ τὸν νόμον, ἐν δὲ ταύταις βουλεύεσθαι περὶ τῆς εἰρήνης Ἀθηναίους · ὅ τι δ' ἂν βουλευῆται ὁ δῆμος, τοῦτ' εἶναι κοινὸν δόγμα τῶν συμμάχων (2, 60).

Aeschines' second reference to a resolution of the allies is in his speech *On the Crown*, 69 f.: 'Ἐπειδὴ τοίνυν ὧ ἄνδρες Ἀθηναῖοι παρεληλύθει τὰ Διονύσια, ἐγίγοντο δὲ αἱ ἐκκλησίαι, ἐν τῇ προτέρᾳ τῶν ἐκκλησιῶν ἀνεγνώσθη δόγμα κοινὸν τῶν συμμάχων, οὗ τὰ κεφάλαια διὰ βραχέων ἐγὼ προερῶ. πρῶτον μὲν γὰρ ἔγραψαν ὑπὲρ εἰρήνης ὑμᾶς μόνον βουλεύεσθαι, τὸ δὲ τῆς συμμαχίας ὄνομα ὑπερέβησαν, οὐκ ἐπιλελησμένοι, ἀλλὰ καὶ τὴν εἰρήνην ἀναγκαιοτέραν ἢ καλλίω ὑπολαμβάνοντες εἶναι. ἔπειτα ἀπήντησαν ὁρθῶς ἰασόμενοι τὸ Δημοσθένους δωροδόκημα, καὶ προσέγραψαν ἐν τῷ δόγματι ἐξεῖναι τῷ βουλομένῳ τῶν Ἑλλήνων ἐν τρισὶ μῆσιν εἰς τὴν αὐτὴν στήλην ἀναγεγράφθαι μετ' Ἀθηναίων καὶ μετέχειν τῶν ὅρκων καὶ τῶν συνθηκῶν, δύο μέγιστα προκαταλαμβάνοντες, πρῶτον μὲν τὸν χρόνον τὸν τῆς τριμήνου ταῖς τῶν Ἑλλήνων πρεσβείαις ἱκανὸν παραγενέσθαι

<sup>1</sup> Dem. 19, 16, ἐφεστηκότων ἔτι τῶν πρέσβεων καὶ ἀκουόντων οὓς ἀπὸ τῶν Ἑλλήνων μετεπέμψασθε, ὑπὸ τούτου πεισθέντες, ὅτ' οὕτω πεπρακὼς αὐτὸν ἦν.

κατασκευάζοντες, ἔπειτα τὴν τῶν Ἑλλήνων εὐνοίαν τῇ πόλει μετὰ κοινού συνεδρίου κτώμενοι, ἵν' εἰ παραβαίνοντο αἱ συνθήκαι, μὴ μόνοι μηδ' ἀπαράσκευοι πολεμήσαιμεν, ὃ νῦν ἡμῖν παθεῖν συνέβη διὰ Δημοσθένην.

Now accepting Höck's argument that these two citations are from two resolutions of the confederate synod, and not from one and the same resolution, I present the hypothesis that the Athenian people passed not two decrees, but three, as to the date of the discussion of the peace. This hypothesis involves treating the decree mentioned in Aes. 2, 53 as different from that mentioned in Aes. 3, 67, and as preceding it. I proceed to show how, under this hypothesis, all the acts both of ecclesia and synod form an intelligible and logical series.

At the meeting of the ecclesia at which the members of the first embassy made their report, Demosthenes declared his intention to move certain decrees; one of these he described in these words, according to Aeschines' account:<sup>1</sup> ἐγὼ δὲ ψήφισμα γράψω . . . τοὺς πρυτάνεις, ἐπειδὰν ἤκωσιν οἱ πρέσβεις, ἐκκλησίαν ἐπὶ δύο ἡμέρας ποιεῖν μὴ μόνον ὑπὲρ εἰρήνης, ἀλλὰ καὶ περὶ συμμαχίας (Aes. 2, 53). If now we suppose the resolution of the synod of the allies, cited by Aeschines in the speech *On the Embassy*, to have been passed immediately after this resolution of the ecclesia, we see the point of its provision; Demosthenes in his decree instructed the prytanes to await the coming of the Macedonian ambassadors; but they were expected soon, and there was reason to fear that if the action as to peace should be taken immediately on their arrival, some of the Greek states which might wish to be included in the peace along with Athens and the members of her present naval league would be excluded. Something more than a year before this, ambassadors had been sent out widely among the Greek states by Athens, inviting them to send ambassadors to Athens to deliberate as to relations with Macedon (Dem. 19, 304; 19, 10; Aes. 2, 57). While

<sup>1</sup> As Aeschines a few moments later had the decrees as actually passed read by the clerk of the court, we may safely assume that he gave their substance correctly.

the testimony of Demosthenes and of Aeschines as to the return of these ambassadors is flatly contradictory, it is probable that some of them were still absent on their mission; and it was possible that if negotiations should be delayed a short time, they would have returned and brought with them ambassadors from some of the states, who might wish to take common action with Athens and the league. The resolution of the synod would then be exactly fitted to the situation; the decree passed on motion of Demosthenes had provided that action on relations with Macedon be taken when the Macedonian ambassadors should have arrived, the precise days being, it would seem, left to appointment by the prytanes; the resolution of the synod provides that this action of the Athenian state shall be accepted in advance by the synod, provided the action be delayed not only till the arrival of Philip's ambassadors, but until the Athenian ambassadors shall all have returned from the Greek states. The Athenians, weary of their long and profitless war with Philip, might well be ready to make peace as speedily as possible without waiting for the action of other states; but the allies, not themselves suffering as yet from Philip's aggressions, may well have wished to make every effort to enlarge the group of states to which peace for the future should be guaranteed.<sup>1</sup> Such then seems to have been the relation between the first decree of the ecclesia and the first resolution of the synod.

At this point comes the second decree passed on motion of Demosthenes. The action of the synod, if allowed to determine the action of the prytanes (of course it would have only the effect of advice) might imperil the whole movement for peace. Those who were eager for the consummation of peace, as Demosthenes certainly was, could not assent to the proposition that when Philip's ambassadors should have arrived, they should be told that the city could not yet take up the matter of the peace, but that they must await the report of certain ambassadors who had been sent out to create anti-Macedonian sentiment throughout Hellas. Demosthenes is therefore no longer content to leave

<sup>1</sup> Cp. Schaefer, II, p. 221.

to the discretion of the prytanes the determination of the exact date of the meetings for discussion of the peace and action upon it, strongly influenced as they would be by the resolution of the synod; he therefore now carries a decree explicitly instructing the prytanes to call an ecclesia for the 8th of Elaphebolion, "In order," he says, as quoted by Aeschines, "that if the ambassadors of Philip shall have then arrived, the people may deliberate as soon as possible on relations with Philip" (Aes. 3, 67).

This decree of course completely nullified the resolution of the synod; it cut off all hope that the Athenian people would delay peace negotiations. The allies, comprising only a small group of the weaker states since the defections of the social war, were in no position to insist on their own wishes; but they thought now that they could accomplish their end by a different means. If the Athenian people would not defer the peace negotiations with Philip, it might be possible to provide that admission to the privileges of the peace be held open to those states which had not the opportunity to share in the deliberations or to come in now as members of the naval league; we accordingly find the synod passing the second of the two resolutions cited at the beginning of this paper; a resolution which indorses the proposition for negotiations with Philip, and no longer seeks to delay them for the return of other ambassadors, but which provides that admission to all the benefits of the peace shall be held open to any Greek state which shall apply within the space of three months. The resolution exactly fits the situation created by Demosthenes' motion, which had taken from the prytanes all discretion as to the time of holding the debate, and prescribed the earliest possible date.

The last action in the series was the third motion of Demosthenes (Aes. 3, 68); the ambassadors having failed to reach Athens in time for the discussion proposed for the 8th, Demosthenes carried a decree appointing the 18th and 19th, the earliest available dates after the Dionysiac festival, for discussion and action on the peace. At the meeting of the 18th the second resolution of the synod was read and dis-

cussed. As might readily have been predicted, it was found impossible to secure the consent of Philip's ambassadors to the proposition of the synod. The peace was concluded with no provision for the reception of late comers, and the members of the synod ratified it.

## II. On the Determination of the First Day of the Great Dionysia.

We have no decisive evidence for determining the first day of the Great Dionysia or the last. We know that a preliminary ceremony, called the *προαγών*, was held on the 8th of Elaphebolion (Aes. 3, 67), and that by the 18th the festival, together with the *Πάνδια* and the *ἐκκλησία ἐν Διουνύσου*, was over (Dem. 21, 9; Aes. 3, 68). Those who believe that the *Πάνδια* was a feast of the full moon, properly assume the 14th or 15th as the date of that festival; but we have not sufficient knowledge as to the number of days in the Dionysiac festival to enable us to reckon backward from the *Πάνδια* to obtain the date of its beginning; moreover, it is by no means certain that the *Πάνδια* was a full-moon feast.

To determine the day of the beginning of the Great Dionysia, we have then to return to the testimony of Aeschines in his speech *On the Crown* (§ 67) and the scholium thereon. Aeschines, charging Demosthenes with having unduly hastened peace with Philip, says: *ὁ γὰρ μισαλέξανδρος νυνὶ φάσκων εἶναι καὶ τότε μισοφίλιππος Δημοσθένης, ὁ τὴν ξενίαν ἐμοὶ προφέρων τὴν Ἀλεξάνδρου, γράφει ψήφισμα, τοὺς καιροὺς τῆς πόλεως ὑφαιρούμενος, ἐκκλησίαν ποιεῖν τοὺς πρυτάνεις τῇ ὁγδοῇ ἱσταμένου τοῦ ἐλαφηβολιώνος μηνός, ὅτ' ἦν τῷ Ἀσκληπιῷ ἡ θυσία καὶ ὁ προαγών, ἐν τῇ ἱερᾷ ἡμέρᾳ, ὃ πρότερον οὐδεὶς μέμνηται γεγονός.* The scholium on this passage is as follows: *ἐγίνοντο πρὸ τῶν μεγάλων Διουνυσίων ἡμέραις ὀλίγαις ἔμπροσθεν ἐν τῷ ᾧδεῖφ καλουμένῳ τῶν τραγῳδῶν ἀγῶν καὶ ἐπιδειξίς ὧν μελλοῦσι δραμάτων ἀγωνίζεσθαι ἐν τῷ θεάτρῳ· δι' ὃ ἐτύμως προαγὼν καλεῖται. εἰσίσιασι δὲ διχα προσώπων οἱ ὑποκριταὶ γυμνοί.* The interpretation of this obscure description of the *προαγών* does not concern us here; all are agreed that it is to be understood as a ceremony preliminary to the

Great Dionysia.<sup>1</sup> Our question is, How long before the beginning of the festival proper did it take place? The scholiast says "a few days"; Aeschines says that the *προαγών* came on the 8th; the festival could then begin at the earliest on the 10th. Haigh, on the basis of this testimony, sets the beginning on the 10th (*Attic Theatre*<sup>3</sup>, p. 7, n. 4); but most scholars, suspicious that the obscure explanation of the scholiast is only a piece of etymologizing, reject his testimony altogether, and assume that the festival proper followed immediately on the *προαγών*, whatever that may have been; it certainly is natural that the day of preparation should immediately precede the festival proper. This is the view of Mommsen (*Feste der Stadt Athen im Altertum*, pp. 430 ff.), of Kern (s.v. Dionysos, in Pauly-Wissowa), of Stengel (Müller's *Handbuch*, v, 3, p. 166), and of Lipsius (Schömann-Lipsius, *Griechische Altertümer*, II, p. 520).

It is the purpose of this note to present a piece of evidence which, so far as I know, has not been used in this discussion, and which, while not decisive, points toward the view that the festival did not begin before the 10th.

In the course of the preparations for the coming of Philip's ambassadors to Athens to negotiate the peace, Demosthenes, according to the hypothesis of the preceding note, carried three motions providing for the date of the discussion in the Athenian ecclesia; in the first motion he provided that the prytanes call a meeting of the ecclesia on two successive days, the precise days to be determined by the prytanes themselves (Aes. 2, 53); in the third he provided that the meetings be held on the 18th and 19th; two days in both cases. The reason for appointing two days is given in the case of the last decree; Aeschines quotes from it (Aes. 2, 65) the provision that the discussion should take place on the first

<sup>1</sup> Cp. Scholium Aristophanes, *Vespaë*, 1109, οἱ δ' ἐν Ὡιδεῖ· ἔστι τόπος θεατροειδῆς, ἐν ᾧ εἰώθασιν τὰ ποιήματα ἀπαγγέλλειν πρὶν τῆς εἰς τὸ θέατρον ἀπαγγελίας. *Vita Euripidis*, I, 47 ff., λέγουσι δὲ καὶ Σοφοκλέα, ἀκούσαντα ὅτι ἐτελεύτησε (Euripides), αὐτὸν μὲν ἐν ἱματίῳ φαιῷ προελθεῖν, τὸν δὲ χορὸν καὶ τοὺς ὑποκριτὰς ἀστεφανώτους εἰσαγαγεῖν ἐν τῷ προαγῶνι καὶ δακρύσαι τὸν δῆμον. For a discussion of the ceremony of the *προαγών*, see Erwin Rohde, *Rheinisches Museum*, XXXVIII, 251 ff.



of the two days, and only the vote be taken on the second. But how was it with the second decree that was passed on motion of Demosthenes, the decree cited by Aeschines (3, 66) in the words: *γράφει ψήφισμα, τοὺς καιροὺς τῆς πόλεως ὑφαιρούμενος, ἐκκλησίαν ποιεῖν τοὺς πρυτάνεις τῇ ὁγδόῃ ἱσταμένου τοῦ ἐλαφιβολιῶνος μηνός*? Was only one day appointed this time for discussion and action on the peace, or did Demosthenes in this case, as in the two others, provide for meetings on two successive days? He surely did not intend to have the discussion take place on the 8th, and then to leave the matter for action after the Dionysiac festival without further discussion. It is possible that, feeling that time was pressing, he set the last possible day before the Dionysia and expected both discussion and action on this one day. But any reasons that were valid for proposing a night's interval between discussion and action in the first and the last motion certainly held now. It seems, therefore, more likely that the second motion of Demosthenes, like the first and third, provided for meetings on two successive days, *i.e.* a meeting for deliberation on the 8th and one for final action on the 9th. In that case we must infer that the Dionysia did not begin before the 10th.

Why, then, does Aeschines not mention the 9th as well as the 8th? The explanation lies in the fact that he is not attempting to give an orderly account of the successive steps in the whole affair, but is presenting those aspects of Demosthenes' acts which are open to attack; the fact of his appointing a meeting of the ecclesia for the 8th, the day of the *προαγών* and of the sacrifice to Asclepius, was of use to Aeschines; the designation of the 9th did not concern his present purpose, for no objection to it could be raised.

But assuming that two days were appointed, may they not have been the 7th and the 8th—the 7th for discussion, the 8th for action? But Aeschines speaks definitely of the 8th as appointed for discussion, *ἐκκλησίαν ποιεῖν τοὺς πρυτάνεις τῇ ὁγδόῃ ἱσταμένου τοῦ ἐλαφιβολιῶνος μηνός . . . ἴνα, φησίν, εἰν ἥδη παρῶσιν οἱ Φιλίππου πρέσβεις, βουλευέσθαι ὁ δῆμος ὡς τάχιστα περὶ τῶν πρὸς Φίλιππον* (Aes. 3, 67). If the meeting

of the 8th had been for the final action, there was no reason why Aeschines should not so have represented it; it would have served his purpose as well; final action would have been as much a violation of the sacred day as discussion would have been. The fact that he was to have the decree read to the jury a few moments later would be reason for citing it correctly. Moreover, the main point that Aeschines is making is that Demosthenes was unduly hastening the peace negotiations (τὸ πρᾶγμα κατασπεύδων, Aes. 3, 67); if Demosthenes had, in fact, moved to take up the matter at a meeting called for the 7th, Aeschines would hardly have contented himself with mentioning the 8th; but if the meeting proposed for the 8th served to show both Demosthenes' haste and his disregard for the sacred day, it is not strange that Aeschines says nothing of the meeting proposed for the 9th.

On these grounds it seems to me probable that two meetings were appointed, — one for the 8th, the other for the 9th, — and therefore that the Great Dionysia did not begin before the 10th.

To those who accept Hartel's view<sup>1</sup> that in cases such as this meetings of the ecclesia on two successive days were required by law, and that in this case the first meeting was appointed for the 8th, the argument that the Dionysia did not begin before the 10th must be decisive, as indeed it should be to those who hold the common view that the reference in Aes. 2, 53 and in Aes. 3, 67 is to one and the same decree, for this involves a meeting of the ecclesia on the 9th.

<sup>1</sup> *Demosthenische Studien*, II, 84. But cp. Gilbert, *Neue Jahrbücher*, XXV, 1, p. 237.